



DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR TRANSMITTING DATA ON RETURN PATH OF A CABLE TELEVISION SYSTEM the specification of which

(check one) _____ is attached hereto.

XX was filed on December 12, 2000 as Application Serial No. 09/735,710 and was amended on _____.
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	<u>Priority Claimed</u>
------------------------------	-------------------------

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
----------	-----------	------------------------	-----	----

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
----------	-----------	------------------------	-----	----

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/170,413 (Application Serial No.)	December 13, 1999 (Filing Date)	Pending (Status) (patented, pending, abandoned)
--	------------------------------------	---

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
--------------------------	---------------	--

(Application Serial No.)	(Filing Date)	(Status) patented, pending, abandoned)
--------------------------	---------------	---

Direct all telephone calls to Gary S. Williams at (650) 493-4935.

Address all correspondence to:

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304

File No. 9775-0040-999

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

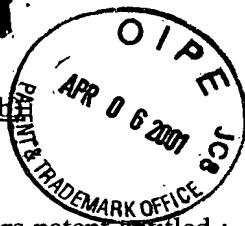
Full name of sole or
first inventor: FRANK H. LEVINSON
Inventor's signature: Frank H. Levinson
Date: 3/18/01
Residence: PALO ALTO, CALIFORNIA
Citizenship: U.S.A.
Post Office Address: 2690 KIPLING STREET
PALO ALTO, CALIFORNIA 94306

Full name of second
inventor: GERALD F. SAGE
Inventor's signature: Gerald F. Sage
Date: 3/29/01
Residence: CHICO, CALIFORNIA
Citizenship: U.S.A.
Post Office Address: 1654 PARK VISTA DRIVE
CHICO, CALIFORNIA 95928

Full name of third inventor: ARTHUR MICHAEL LAWSON
Inventor's signature: Arthur Michael Lawson
Date: 3-6-2001
Residence: MORGAN HILL, CALIFORNIA
Citizenship: U.S.A.
Post Office Address: 1385 JAMES COURT
MORGAN HILL, CALIFORNIA 95037

Full name of fourth inventor: WILLEM A. MOSTERT
Inventor's signature: Willem A. Mostert
Date: 3/6/01
Residence: ISSAQAH, WASHINGTON
Citizenship: The Netherlands
Post Office Address: 4757 241st Avenue SE
Issaquah, Washington 98029

POWER OF ATTORNEY BY ASSIGNEE
AND CERTIFICATE UNDER 37 CFR 3.73(b)



To the Commissioner of Patents:

The undersigned assignee of the entire interest in application for letters patent entitled : SYSTEM AND METHOD FOR TRANSMITTING DATA ON RETURN PATH OF A CABLE TELEVISION SYSTEM, bearing Serial Number 09/735,710, filed December 12, 2000, and having the named inventors: Frank H. Levinson, Gerald F. Sage, Arthur Michael Lawson and Willem A. Mostert, hereby appoints the following attorneys to transact all business in the Patent Office connected therewith: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of **PENNIE & EDMONDS LLP**, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

In accordance with 37 CFR 3.73 the assignee hereby certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an Assignment from the inventors. Said assignment being filed in the Patent and Trademark Office together with the application. The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified below.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Direct all telephone calls to GARY S. WILLIAMS at (650) 849-7721 or (650) 493-4935.
Address all correspondence to:

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94303

FINISAR CORPORATION

By: Frank H. Levinson
(typed name)

Signature: Frank H. Levinson

Title: Chief Executive Officer
Address: 1308 Moffet Park Drive
Sunnyvale, CA 94089-1133

Date: 3/29/01
File No. 9775-0040-999